

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI

JESSICA L. HOESCHELE, )  
                            )  
Plaintiff,               )  
                            )  
vs.                       )                  Case No.:  
                            )  
OFFICER J. STAUCH,     )  
                            )  
Defendants.             )

**NOTICE OF REMOVAL**

Pursuant to the provisions of 28 U.S.C. § 1441(a) and § 1446, Defendant Officer J. Stauch hereby removes the above-captioned action, Case No. 2116-CV12198, from the Circuit Court of Jackson County, Missouri to the United States District Court for the Western District of Missouri.

Removal of this action is proper because, pursuant to 28 U.S.C. § 1441(a), this Court has original jurisdiction founded on Plaintiff's claims arising under the Constitution and the laws of the United States. Specifically, Plaintiff has brought this action alleging a violation of her Fourth and Fourteenth Amendment rights under the Constitution. Raising a claim that arises under the Constitution and federal laws allows for removal of this matter pursuant to 28 U.S.C. §§ 1331 and 1333.

Plaintiff filed her original Petition on June 8, 2021. On July 20, 2021, the undersigned counsel accepted service on behalf of the Defendant. Removal is timely and proper under 28 U.S.C. § 1446(b)(1) because this removal is being filed less than 30 days after service was waived on this defendant.

Written notice of removal has been mailed to all parties and to the Clerk of the Circuit Court of Jackson County, Missouri, pursuant to 28 U.S.C. § 1446(d), a copy of which is attached

hereto as **Exhibit 1**. Pursuant to 28 U.S.C. § 1446(a), a copy of Plaintiff's Petition, along with all process, pleadings, and orders served upon these Defendants are attached hereto as **Exhibit 2**.

Respectfully submitted,

FISHER, PATTERSON, SAYLER & SMITH, LLP

/s/ Nichole A. Caldwell

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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 26, 2021, I electronically filed the foregoing with the Clerk of the Court and deposited a true and correct copy of the above and foregoing in the U.S. mail, postage prepaid, to the following:

Richard W. Johnson  
The Law Office of Richard W. Johnson, LLC  
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*Attorneys for Plaintiff*

/s/ Nichole A. Caldwell  
NICHOLE A. CALDWELL